



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Infrastructure and Land Use Committee

Friday, September 16, 2005

9:30 AM

Commission Chamber

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Commission Auditor

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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

Legislative Analysis

**Infrastructure and Land Use Committee
Meeting Agenda**

Friday, September 16, 2005

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

Item Number(s)

2(A), 2(B), 2(C), 2(D), 2(E), & 2(F)	2(S)
3(E)	

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
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Troy Wallace, J.D., Legislative Analyst
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LEGISLATIVE ANALYSIS

ITEM 2(A) RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5.13 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND SERGIO A. RIVERA AND MERCEDES RIVERA AS SELLERS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN

Department of Environmental Resources Management

ITEM 2(B) RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5.00 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND RASSOUL ABTAHI AND THARION ABTAHI AS SELLERS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN

Department of Environmental Resources Management

ITEM 2(C) RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10.00 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND DATA PAX CORPORATION AS SELLER; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN

Department of Environmental Resources Management

ITEM 2(D) RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5.00 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND JAMES WHITE JR. AND JUDITH F. WHITE AS SELLERS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN

Department of Environmental Resources Management

ITEM 2(E) RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 8.11 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND JUAN GOL AND FRANCISCA GUASCH DE GOL AS SELLERS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN

Department of Environmental Resources Management

INLUC ITEMS 2(A), 2(B), 2(C), 2(D), 2(E), & 2(F)
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ITEM 2(F) RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 4.73 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND TAM T. MARTINEZ AS SELLER; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN

Department of Environmental Resources Management

I. SUMMARY

Proposed Resolutions would allow the County to acquire in total 37.97 acres of South Dade Wetlands in association with the Environmentally Endangered Lands (EEL) Program.

II. PRESENT SITUATION

The Land Acquisition Selection Committee has identified 30,708 acres of South Dade Wetlands to acquire, protect and restore under the EEL Program; 16,150 acres remain as 'Priority A' for acquisition (see Attachment A).

In January 2004, the County hired Investors Research Associates, Inc. to conduct appraisals of 174 parcels in the South Dade Wetlands. All of the appraised properties, including the properties of Items 2(A) through 2(F), are located east of US-1 between paved S.W. 328th Street on the north and unpaved S.W. 360th Street on the south in extreme southern Miami-Dade County.

The properties were grouped by geographic and physical characteristics with each group of properties valued on a generic basis. By and large, location, development and/or zoning approvals determined the appraised value of the parcels assessed by Investors Research Associates, Inc. The highest appraised value going to those zoned or master planned for development.

All of the six properties, Analysis Items 2(A) through 2(F), are considered in the appraisal.

III. POLICY IMPLICATIONS

The acquisition of lands under Items 2(A) through 2(F) make up only a small percentage (0.23%) of the South Florida Wetlands identified by the EEL Program for acquisition by the County. The purchasing price is in keeping the appraised value.

What follows is a comparison of Items 2(A) through 2(F).

INLUC ITEMS 2(A), 2(B), 2(C), 2(D), 2(E), & 2(F)
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Item No.	Acreage	Zoning	Proposed Purchase Price	Funding Source
2(A)	5.13	GU (interim district) – 1 house per 5 acres only	\$38,500 (\$7,505 per acre)	Building Better Communities GOB
2(B)	5.00	GU (interim district) – 1 house per 5 acres only	\$40,000 (\$8,000 per acre)	Building Better Communities GOB
2(C)	10.00	GU (interim district) – 1 house per 5 acres only	\$75,000 (\$7,500 per acre)	Building Better Communities GOB
2(D)	5.00	GU (interim district) – 1 house per 5 acres only	\$40,000 (\$8,000 per acre)	Building Better Communities GOB
2(E)	8.11	Agriculture District (1 house and agriculture use)	\$89,200 (\$10,999 per acre)	Building Better Communities GOB
2(F)	4.73	GU (interim district) – 1 house per 5 acres only	\$42,600 (\$9,006 per acre)	Building Better Communities GOB

IV. ECONOMIC IMPACT

The total cost of the properties, Items 2(A) through 2(F), is \$325,300.

V. COMMENTS AND QUESTIONS

None.

UNACQUIRED PROJECTS: Environmentally Endangered Lands Program

March 2005

MAP #	SITE	ACRES	LOCATION	PRIORITY A or B
1	Bird Key (Mangrove)	37.5	NW 79 St. & Bisc. Bay	A
2	Black Creek Forest (Pineland)	43	SW 216 St. & SW 112 Ave.	A
3	Coastal Wetlands:			
3a	Biscayne Wetland	445	SW 280 St. & SW 107 Ave.	A
3b	Black Point Wetlands	271	SW 248 St. & SW 97 Ave.	A
3c	Cutler Wetlands	798	SW 196 St. & SW 232 St.	A
3d	R. Hardy Matheson Preserve Addition	41	Old Cutler Rd. & SW 108 St.	A
3e	Biscayne Wetlands North Addition	300	SW 270 St. & SW 107 Ave.	B
4	Friends-of-the-Everglades Wetlands	3,725	SW 344 St. & SW 137 Ave.	A
5	Miami Rockridge Pinelands:			
5a	Goulds Addition	35.8	SW 232 St. & SW 117 Ave.	A
5b	Kings Highway	31.1	SW 304 St. & SW 202 Ave.	B
5c	Navy Wells #2	20	SW 328 St. & SW 197 Ave.	A
5d	Owaissa Bauer Addition #2	10	SW 264 St. & SW 175 Ave.	A
5e	School Board	18.7	SW 268 St. & SW 129 Ave.	A
6	Other Rockridge Pinelands:			
6a	Bowers Pineland	10	SW 296 St. & SW 197 Ave.	A
6b	Calderon Pineland	17.5	SW 192 St. & SW 140 Ave.	A
6c	Hattie Bauer Pineland	5	SW 266 St. & SW 157 Ave.	A
6d	Northrop Pineland	12	SW 296 St. & SW 207th Ave.	A
6e	Notre Dame Pineland	32	SW 280 St. & SW 132 Ave.	B
6f	Pino Pineland	1.9	SW 39 St. & SW 69 Ave.	A
6g	Railroad Pineland	18.2	SW 184 St. & SW 147 Ave.	B
6h	Richmond Complex	354	SW 152 St. & SW 130 Ave.	A
6i	Seminole Wayside Park Addition	5.5	SW 300 St. & US-1.	A
6j	Silver Palm Addition	19	SW 232 St. & SW 152 Ave.	A
6k	Wilkins Pierson	20	SW 184 St. & SW 164 Ave.	A
7	Oleta River Corridor (Coastal Wetlands) :			
7a	Tract A	2.7	NE 171 St. & US-1	A
7b	Tract B	8	NE 165 St. & US-1	A
7c	Tract D	7.8	NE 191 St. & NE 24 Ave.	A
8	South Dade Wetlands	16,150	SOUTH DADE COUNTY	A
9	Tropical Hammocks of the Redlands:			
9a	Castellow #31	10	SW 218 St. & SW 157 Ave.	A
9b	Chernoff Hammock	5	SW 218 St. & SW 154 Ave.	A
9c	Homestead General Airport Hammock	4	SW 296 St. & SW 217 Ave.	A
9d	Maddens Hammock	60	NW 154 St. & SW 87 Ave.	B
9e	Round Hammock	32.6	SW 408 St. & SW 220 Ave.	A
9f	SW Island Hammock	12.5	SW 392 St. & SW 207 Ave.	A
9g	Vizcaya Hammock Addition	2	3300 South Miami Ave.	A
9h	Hammock Island	100	SW 360 St. & SW 217 Ave.	B
10	Miami Metrozoo	233	12400 SW 152 St.	A

LEGISLATIVE ANALYSIS

EIGHTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND CALDWELL

Solid Waste Management Department

I. SUMMARY

The proposed resolution being recommended to the BCC will authorize the County Manager to execute the Eighth Amendment to the Professional Services Agreement between Miami-Dade County and Brown and Caldwell. This amendment will continue the current agreement between the County and Brown and Caldwell for their bond engineering services associated with the Solid Waste System Bonds (Ordinance 96-168).

II. PRESENT SITUATION

- Brown and Caldwell currently provides Miami-Dade County with bond engineering services. In essence, the agreement states that Brown and Caldwell will monitor operational and financial perspectives in connection with the Solid Waste System Bonds.
- The current contract is a 22 year agreement that commenced in 1987 and is set to run until April 28, 2009.
- Every 3 to 3 1/2 years, the respective agreement calls for an amendment allowing the department to address the reauthorization of funds. The amendments also allow the department the opportunity to entertain the current needs of the department regarding the agreement.

III. POLICY CHANGE AND IMPLICATION

- In the past, the amendments for this particular agreement have addressed the needs of the department for a term of three (3) years. This amendment is different, where it is asking for the resources and funding for only a year.
- At the request of the Office of Inspector General (OIG), the department has modified and updated the lay out of this agreement to comply with today's standards for bond engineering agreements. The department is currently awaiting more feedback from the OIG. A formal OIG report is now pending.
- The department has requested the resources and funding for a one year amendment. When the official OIG report becomes available the department has expressed they will then address any additional contract modifications deemed necessary and determine the duration of any future funding allocations.

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IV. ECONOMIC IMPACT

- The total authorization for the term of the Eighth Amendment is \$1,259,000.
(Note: This amendment is requesting a 1 year extension that will run until April 28, 2006, instead of the traditional 3 years.)
- Exhibit 1 (provided within the item) offers a projection of the funding for this amendment.

V. COMMENTS AND QUESTIONS

N/A

LEGISLATIVE ANALYSIS

RESOLUTION DIRECTING THE COUNTY MANAGER TO TAKE STEPS NECESSARY TO ALLOW THE EXPEDITIOUS EXPENDITURE OF ROAD IMPACT FEES FOR MASS TRANSIT ROADWAY CAPACITY ENHANCEMENT IN CERTAIN INFILL AND REDEVELOPMENT AREAS, AND FURTHER DIRECTING THE COUNTY MANAGER TO REPORT ON STEPS TAKEN AND TO RECOMMEND APPROPRIATE CHANGES TO ROAD IMPACT FEE EXPENDITURE PRIORITIES WHEN SUCH MASS TRANSIT EXPENDITURES ARE ALLOWABLE

Commissioner Carlos A. Gimenez

I. SUMMARY

This resolution asks the manager to develop a plan to allow for the expeditious expenditure of Road Impact Fees (RIFs), collected by the County, on Mass Transit Projects in Urban Infill and Redevelopment Areas.

II. PRESENT SITUATION

On December 6, 1988, the Board of County Commissioners adopted the Road Impact Fee (RIF) Ordinance (Chapter 33E of the Miami-Dade County Code), for the purpose of ensuring that all new development bears its proportionate share of the capital cost of road and transportation facilities affected by its development. The Ordinance created nine (9) RIF Districts to ensure that the fees collected in a certain area were allocated within that area. In each district, there was created an RIF trust fund into which these fees are to be deposited.

On December 3, 2002, the Board of County Commissioners amended the RIF ordinance to allow the County the authority to issue limited obligation bonds to be secured by Road Impact Fee funds. It was anticipated that proceeds from the sale of these bonds could be utilized to advance the construction of major improvement projects that would otherwise be unduly delayed.

For the past three years Miami-Dade County has collected the following amounts in Road Impact Fees:

2002	\$17,214,459
2003	\$19,955,113
2004	\$25,881,939

The recent rise in the amount of RIFs collected can be attributed to the increase in development the County.

III. POLICY CHANGE AND IMPLICATION

This resolution is seeking a plan to spend monies collected in RIFs more expeditiously, especially in areas where congestion is greatest and additional lane miles are not a feasible solution.

IV. ECONOMIC IMPACT

There is no direct fiscal impact.

The County would just spend monies it already collects faster.

V. COMMENTS AND QUESTIONS

The plan should take into account that these projects should be "one time" capital projects that do not require ongoing operational costs.

There is presently a proposal to collapse the current nine (9) Road Impact Fee Districts into three (3) districts. Proponents of this proposal argue that often the size of a development could mean that it affects other districts abutting the district in which the development takes place.

Some municipalities have been reluctant to support this proposal for fear of losing some of the RIFs collected within their municipal boundaries to other areas.